

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:15 CV 1046
)	
Plaintiff)	
)	
v.)	JUDGE SOLOMON OLIVER, JR.
)	
CITY OF CLEVELAND,)	
)	
Defendant)	<u>ORDER</u>

In accordance with Paragraph 350 of the Parties’ Settlement Agreement, an independent monitor was established to “assess and report whether the requirements of this Agreement have been implemented, and whether this implementation is resulting in constitutional and effective policing, professional treatment of individuals, and increased community trust of CDP.” (Modified Settlement Agreement at PageID 11666, ECF No. 502-1.) Paragraph 355 of the Settlement Agreement governs the appointment term of the independent monitor, and provides:

[t]he Monitor will be appointed for a period of five years from the Effective Date and will have its appointment extended automatically should the City and CDP not demonstrate Substantial and Effective Compliance at the end of this five-year period. The extension of the Monitor beyond seven years will be allowed only if the Court determines that it is reasonably necessary in order to assess and facilitate Substantial and Effective Compliance with this Agreement. The Monitor’s appointment will terminate prior to five years if the City has achieved Substantial and Effective Compliance for the time specified in paragraph 401.

(*Id.* at PageID 11667.) On October 1, 2015, the court approved the Parties’ Joint Motion to Approve

Selection of a Monitor. (ECF No. 25.)

Pursuant to Paragraph 355, the Monitor was automatically extended for an additional two years in 2020 after the court determined that the City and CDP was not in substantial and effective compliance with the Settlement Agreement. On October 13, 2022, the court extended the Monitor for another two years because it determined “that it is reasonably necessary in order to assess and facilitate Substantial and Effective Compliance with” the Parties’ Settlement Agreement. (Order at PageID 9966, ECF No. 443.) That two-year extension expired October 13, 2024.

Based on the Monitor’s 16th Semiannual Report and information provided by the Monitor and the Parties at the hearing therein, it is clear that, while the City has made substantial progress, it has not yet achieved substantial and effective compliance at this time. Therefore, the court finds that the continued use of the Monitor is necessary to assess and facilitate substantial and effective compliance with the Parties’ Settlement Agreement. Accordingly, the court extends the Monitor for a period of two years from October 13, 2024, the date on which the previous two-year extension expired.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

April 25, 2025